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caused them to be so favored for warm-weather wear.

# **GUILTY OR CRAZY** IS NOW WAITE'S FIX

New Yorker's Fate Depends Solely on His Plea of Insanity.

HIS MEMORY "FAILS" AT CRITICAL MOMENTS

Slayer of Millionaire Peck Put Through Grueling Examination. by Assistant District Attorney.

NEW YORK, May 26,-Could a san mit the series of crimes con fessed by Dr. Arthur Warren Waite?

This question confronted the jury today dentist left the witness stand last night after five hours and forty-five minute crowded with horrors unparalleled in the history of New York criminal trials. Every detail of his story was noted by the alienists engaged by the defense for use in framing the hypothetical question they will be called to answer before Waite's attorneys ask the jury to decide whether he was mentally responsible when he was mentally responsible when he killed his father-in-law, John E. Peck. Waite's testimony left the prosecution's attorneys today nothing more to do toward proving that he committed murder. Their problem was to show that a monster of crime such as the defendant confessed himself might have been mentally normal and there. defendant confessed himself migh-have been mentally normal and there-fore a fit subject for the electric chair.

Women Are Excluded.

Women were excluded from when Dr. A. W. Waite re imed the witness stand today. Hundreds of persons in the corridors vainly tried to gain admission to the courtroom. Waite appeared pale, but seemed to have braced himself to face he ordeal

d questions to ask the dentist before you ever try to kill your wife?

"No," replied Dr. Waite,
"Did you ever plan to kill her?"
"No, never."

Waite's Cross Examination.

Assistant District Attorney Brothers then began the cross-examination of Dr. Waite. He first asked the prisoner:
"Do you recall telling me that you did not want your wife to learn of your relations with Mrs. Horton?"
"No," replied Waite. Assistant District Attorney Brothers

said Waite.
"You faked insanity in the Tombs,"
said the prosecutor.
Waite denied it, and also denied that
he deliberately planned a false defense
or read books on nervous diseases.

His Lapses of Memory.

"You have displayed a wonderful recent incidents," said the prosecutor. "I don't remember," said Waite.

The witness declared he did not tell District Attorney Swann and Mr. Brothers while in Bellevue that the "man from Egypt" had killed Peck. He said he had asked Mrs. Horton if she had heard of the "man from Egypt," but denied that he had otherwise spoken of such a character.

"Are you crazy?" asked Mr. Brothers.
"I think not."

Slept Well After Murder.

"After you took Mr. Peck's life you ould not sleep, could you?" "I slept perfectly," said Waite "You wanted to kill yourself, did

"You fixed the embalmer. What had

ou to fear?"
"Well, this trial." "Why didn't you kill yourself?"
"I made a pretty good attempt at it,"
replied Waite.

"I made a pretty good attempt at it," replied Waite.

"You only obtained the cultures in which the germs are grown?" said Mr. Brothers. "If you wanted to kill the Pecks, why didn't you shoot them?" "I don't know."

"You have never been anything but a sneak thief, have you?" asked the prosecutor.

"That's all."

"You were a gambler. You told persons you played for high stakes; that you lost in the Peck case?"

"No." said Waite.

"You planned Peck's death to win \$2,000,000, didn't you?"

"No, not that much."

The prisoner denied that he schemed to kill Peck as early as last February.

"You and Margaret Horton were going to leave the country, weren't you? Where were you going?"

"I don't know that we were going away."

Waite was then excused and Miss

tion, but appeared resigned and no

defiant.

The dentist commenced his life story by recalling that as a child he was cruel to animals. He yawned as he cruel to animals. He yawned as he examination papers, copied from the papers of his classmates, stole from every one for whom he worked as a boy, and then robbed his fraternity by the state of flushed as he recounted, some of the escapades of his student days.

Dr. Waite calmly recounted, on the witness stand last night, how he attempted to cause the death of Miss Katherine Peck, the wealthy aunt of his wife, and his own benefactress, by feeding her disease germs. He also

PROMINENT FIGURES IN THE WAITE-PECK CASE



MRS. MARGARET HORTON. voman who shared the hotel studie of Dr. Arthur Warren Walte.

He frequently gave Miss Katherine

Had Bacteria Ready for Mrs. Peck.

"Did you administer any bacteria to

been working on them for some time and had them all ready for her."

"No," replied Waite.
Waite folded his arms and smiled at "Typhoid, diphtheria, pneumonia and nut

"No," replied Waite.

Waite folded his arms and smiled at the prosecutor as he denied having any conversation with Mr. Brothers in Dr. Waite's apartment.

The dentist said he was surprised to learn that he had given a ring to his nurse.

"You were faking insanity in Bellevue, were you not?" asked Mr. Brothers.

"I didn't fake insanity at any time," said Waite.

"You faked insanity in the Tombs," said the prosecutor.

Waite denied it, and also denied that he deliberately planned a false defense

Administers Arsenic.

"I gave him arsenic a few days before he was planning to go away. I got nemory for events back to your sixth ninety grains, I think. I think it was birthday, but you have forgotten these three or four days before Mr. Peck died that I began to give him arsenic. I gave him a little at first and in-

Telling of his acquaintance with Mrs. Horton, Waite said he heard her sing at a theater here last fall and went frequently just to hear her. He met her behind the scenes, he said, and saw her every day after that, becoming "very fond of her."

ing "very fond of her."

"Did she seem to reciprocate?" asked Mr. Deuel.

"She did," Waiter replied.

Waite related his efforts to induce Eugene Oliver Kane, the embalmer, to put arsenic in a sample of embalming fluid which was to be sent to the district attorney's office. He gave Kane \$9,000 down, he said, and agreed to give him \$40,000 more later.

"What was your purpose in administering germs to all these people?"

"I wanted them to die."

"Why?"

"I wanted their money."

"When did you first get this idea?"

"About the time I first met Miss Clara Peck."

Early in his examination Waite admitted that he had degenerate traits since he was a boy.

Narrates Story of Thievery.

Waite's narrative virtually became story of thievery. He admitted that during his freshman vacation, which he spent working at Ann Arbor, his thefts amounted to \$500, resulting in his expulsion from his fraternity, although he was reinstated in his senior He admitted that while in Canada he

"If don't know that we were going away."

Waite was then excused and Miss Catherine Peck, sister of John E. Peck, was called. Waite testified yesterday that he placed ground glass and germs of penumonia, typhoid, diphtheria and influenza in her food in an attempt to kill her. Mr. Deuel said he wanted her to corroborate Waite's statement that he placed ground glass in marmalade and germ cultures in fish that she was to eat. Miss Peck said she accepted Waite as what he appeared to be and told of intrusting her business matters to him. She smiled as she recalled her narrow escapes from death.

"I ate some of the marmalade," she said. "When I opened the jar again I found it full of something like sand. I took it back to the store and the proprietor apologized."

Waite Tells His Life Story.

Waite Tells His Life Story.

Waite Tells His Life Story.

Waite seemed calm when he took the witness stand yesterday afternoon. The courtroom was sultry, but he buttoned his coat tightly around him. He smiled almost constantly during his examina-

Tells of His Betrothal. Telling of his betrothal to Miss Peck,



MRS. ELIZABETH P. HARDWICK, prosecution of Dr. Waite.

fered him money, but that he refused o accept.

The trial was adjourned until 10

Col. Thompson Says He Should Come 700 Miles Because He Came 700 Miles to Libel.

"You don't wish to remember even your letter to Margaret Morton?" asked Mr. Brothers.

Waite did not answer. The smile gradually faded from his face and he seemed to become confused by the seemed to become confused by the had been reading medical books, but admitted reading a medical magazine.

The witness declared he did not tell District Attorney Swann and Mr.

I gave him a little at first and increased the dose until all of it was gone. I gave him the doses in his food once or twice it was in eggnogg and once in rice pudding, and then once in hot milk."

Waite told of sleeping on the couch on the night before his father-in-law's death, so as not to disturb his wife; lie got up after retiring, he said, and administered chloroform to Mr. Peck.

The witness declared he did not tell District Attorney Swann and Mr.

agreeing to have his appearance as defendant in the case entered provided the Navy League will bring all its records into court and immediately place on the witness stand "for examination" its offibers as Mr. Ford's attorneys shall design nate. Provided these proposals be ac cepted, Mr. Ford said, Alfred Lucking, his attorney, would come here at once to join issue in the case.

"The Navy League will obtain judgment against you for the libel you have committed just as rapidly as the courts permit," states Col. Thompson's answering wire. "The league will take every step possible to expedite the determination of the case by the courts.

"It will accord you every right vouch-safed by the law. We will appear at the trial and will produce our books and papers.

Only Desires Judicial Settlement.

"The Navy League desires only a judi cial settlement of the matter as early as possible and upon consideration of all the facts. It will join with you in seeking to have the case advanced for trial, but it will not accept your pre posterous and unheard-of proposition to try the case out of court.

"You ask why you should come 700 miles to defend this suit? We reply, because you came 700 miles to libel us. If you believe you told the truth you will come here and prove it. If you do not, you will evade service as long as you can and so delay justice. If you do not voluntarily defend this suit here, where your libel was published, and in an impartial court belonging to the federal judiciary, you will be served with the summons requiring your court appearance the next time you come to Washington.

"Our attorneys, Messrs. Henry B. F. Macfarland and Henry Breckinridge, have been instructed to press the matter as vigorously and as rapidly as possible. They will so inform your counsel, Mr. Alfred Lucking, when he calls on them, and will furnish him with a copy of this telegram."

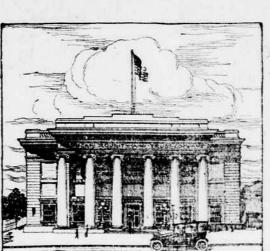
Flowers for Mr. Littlepage. Democratic pages of the House of Representatives yesterday presented to Representative Littlepage of West Virginia a large bouquet of flowers. Representative Littlepage is at Emergency Hospital, where he was recently operat-ed on following a slight injury to the hand.

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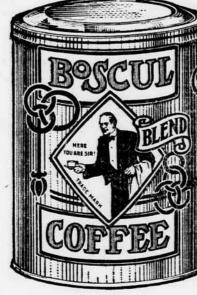
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